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OCT. 20. 2005 4:25PM CBL&H 202 293 6229

NO. 8569 P. 3/10

OCT 20 2005

PTO/SB/17 (12-04v2)

Approved for use through 7/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Complete if Known

|   |  |  |  |
|---|--|--|--|
| <b>Effective on 12/03/2004.</b><br><b>Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).</b><br><b>FEE TRANSMITTAL</b><br><b>For FY 2005</b> |  |  |  |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27  |  |  |  |
| <b>TOTAL AMOUNT OF PAYMENT</b> <b>(\$)</b> <b>120.00</b>  |  | <b>Attorney Docket No.</b> <b>22133-00006-US</b> |  |

**METHOD OF PAYMENT** (check all that apply)

Check  Credit Card  Money Order  None  Other (please identify): **Connolly Bove Lodge & Hutz LLP**  
 Deposit Account **Deposit Account Number: 22-0185** **Deposit Account Name:**

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

|   |   |
|---|---|
| <input checked="" type="checkbox"/> Charge fee(s) indicated below   | <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee |
| <input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 | <input checked="" type="checkbox"/> Credit any overpayments                       |

**FEE CALCULATION**

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| <b>Application Type</b> | <b>FILING FEES</b> |                              | <b>SEARCH FEES</b> |                              | <b>EXAMINATION FEES</b> |                              | <b>Fees Paid (\$)</b> |
|-------------------------|--------------------|------------------------------|--------------------|------------------------------|-------------------------|------------------------------|-----------------------|
|                         | <b>Fee (\$)</b>    | <b>Small Entity Fee (\$)</b> | <b>Fee (\$)</b>    | <b>Small Entity Fee (\$)</b> | <b>Fee (\$)</b>         | <b>Small Entity Fee (\$)</b> |                       |
| Utility                 | 300                | 150                          | 500                | 250                          | 200                     | 100                          |                       |
| Design                  | 200                | 100                          | 100                | 50                           | 130                     | 65                           |                       |
| Plant                   | 200                | 100                          | 300                | 150                          | 160                     | 80                           |                       |
| Reissue                 | 300                | 150                          | 500                | 250                          | 600                     | 300                          |                       |
| Provisional             | 200                | 100                          | 0                  | 0                            | 0                       | 0                            |                       |

**2. EXCESS CLAIM FEES**

Fee Description

Each claim over 20 (including Reissues)  
Each independent claim over 3 (including Reissues)

Multiple dependent claims

| <u>Total Claims</u> | <u>Extra Claims</u> | <u>Fee (\$)</u> | <u>Fee Paid (\$)</u> | <u>Multiple Dependent Claims</u> |                      |
|---------------------|---------------------|-----------------|----------------------|----------------------------------|----------------------|
|                     |                     |                 |                      | <u>Fee (\$)</u>                  | <u>Fee Paid (\$)</u> |
| 21                  | -21 =               | x               | =                    |                                  |                      |
| 3                   | -3 =                | x               | =                    |                                  |                      |

| <u>Total Sheets</u> | <u>Extra Sheets</u> | <u>Number of each additional 50 or fraction thereof</u> | <u>Fee (\$)</u>                | <u>Fee Paid (\$)</u> | <u>Fee (\$)</u> | <u>Fee Paid (\$)</u> |
|---------------------|---------------------|---|--------------------------------|----------------------|-----------------|----------------------|
|                     |                     |   |                                |                      | <u>Fee (\$)</u> | <u>Fee Paid (\$)</u> |
|                     | -100 =              | /50   | (round up to a whole number) x |                      |                 |                      |

| <b>4. OTHER FEE(S)</b>               |  |  |        |
|--------------------------------------|--|--|--------|
| Non-English Specification            | \$130 fee (no small entity discount)           |  | 120.00 |
| Other (e.g., late filing surcharge): | 1251 Extension for response within first month |  |        |

|                          |                            |                         |               |                  |                         |
|--------------------------|----------------------------|-------------------------|---------------|------------------|-------------------------|
| <b>SUBMITTED BY</b>      |                            | <b>Registration No.</b> | <b>39,294</b> | <b>Telephone</b> | <b>(202) 331-7111</b>   |
| <b>Signature</b>         |                            |                         |               | <b>Date</b>      | <b>October 20, 2005</b> |
| <b>Name (Print/Type)</b> | <b>Susan E. Shaw McBee</b> |                         |               |                  |                         |

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OCT 21 2005

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## FAX TRANSMISSION

OCT 20 2005

DATE: October 20, 2005

PTO IDENTIFIER: Application Number 10/663,835-Conf. #2702  
Patent Number

Inventor: Fritz Gestermann et al.

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (703) 872-9306

FROM: CONNOLLY BOVE LODGE &amp; HUTZ LLP

Susan E. Shaw McBee

PHONE: (202) 331-7111

Attorney Dkt. #: 22133-00006-US

PAGES (Including Cover Sheet): 10

## CONTENTS:

Amendment (7 pages)  
Fee Transmittal (1 page)  
Authorization to Charge Deposit Account 22-0185 in the amount of \$120  
Certificate of Transmission (1 page)

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CONNOLLY BOVE LODGE & HUTZ LLP  
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PTO/SB/87 (09-04)

Approved for use through 07/31/2008. OMB 0651-0031

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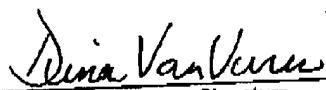
Attorney Docket No.: 22133-00006-US

Application No. (if known): 10/663,835

## Certificate of Transmission under 37 CFR 1.8

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Amendment (7 pages)

Fee Transmittal (1 page)

Authorization to Charge Deposit Account 22-0185 in the amount of \$120

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NO. 8569 P. 4/10

OCT 20 2005

Docket No.: 22133-00006-US  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Fritz Gestermann et al.

Application No.: 10/663,835

Confirmation No.: 2702

Filed: September 17, 2003

Art Unit: 1746

For: PROCESS FOR THE PRODUCTION OF A  
GAS DIFFUSION ELECTRODE

Examiner: B. F. Bell

**AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INTRODUCTORY COMMENTS**

In response to the Office Action dated June 21, 2005, Applicant requests a one month extension of time to extend the period for response to October 21, 2005. Please amend the above-identified U.S. patent application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 6 of this paper.

10/21/2005 CNGUYEN 00000032 220185 10663835

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